GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –Commercial Taxes Department - Surprise check conducted over the Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District on 12.03.2016 – Allegations of Corruption – Common Disciplinary proceedings initiated- Inquiry under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991- Articles of Charge framed against Sri Nakka Govinda Rao, Assistant Market Supervisor, Agricultural Market Committee, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District – Orders-Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.464 **Dated:03.04.2019**
Read:

G.O.Ms.No.263, Revenue (Vigilance – II) Department, Dated:03.04.2019.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, in the reference read above, it is considered necessary to hold an enquiry against Sri Nakka Govinda Rao, Assistant Market Supervisor, Agricultural Market Committee, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Nakka Govinda Rao, Assistant Market Supervisor, Agricultural Market Committee, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District is directed to submit, within ten days of the receipt of this order, a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Nakka Govinda Rao, Assistant Market Supervisor, Agricultural Market Committee, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

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6. Attention of Sri Nakka Govinda Rao, Assistant Market Supervisor, Agricultural Market Committee, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri Nakka Govinda Rao, Assistant Market Supervisor, Agricultural Market Committee, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District (w.e, Annexures-I to IV) **through** The Agricultural & Cooperation (Marketing) Department (with a request to serve the order on the individual and send the served copy with dated signature to Government)

The Commissioner and Director of Agriculture Marketing, Old Mirchi Yard, Chuttuguntla Centre, Guntur- 522 004.

The Agriculture & Cooperation (Marketing) Department, A.P.Secretariat, Velagapudi.

Copy to:

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI NAKKA GOVINDA RAO, AGE 40 YEARS, ASST. MARKET SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.N0.3/SC-ACB/ SKL/2016 SRIKAKULAM RANGE.

Sri Nakka Govinda Rao, Asst. Market Supervisor, Agricultural Market Committee, Integrated Check Post, Purushottapuram joined in Government Service on 05.05.2007 as Junior Market Supervisor in Agricultural Market Committee. He was promoted as Assistant Market Supervisor on 06.08.2009 and he worked as such in Palakonda, Srikakulam District. Later he was transferred to Integrated Check Post, Itchapuram and he worked as Assistant Market Supervisor, Agricultural Market Committee, Integrated Check Post, Itchapuram from 23.11.2014 and committed the following grave mis-conduct in as much as:

CHARGE-I:-

That on 12.03.2016 he and other officials of the check post were collecting bribe from the crew members of the transport vehicles directly and indirectly through the private person's i.e. unauthorized agents.

CHARGE-II:-

He failed to give proper explanation for shortage of Rs.499/- in the Government cash collected at Agricultural Marketing Committee.

Thus Sri Nakka Govinda Rao, Assistant Market Supervisor, Agricultural Market Committee, by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SRI NAKKA GOVINDA RAO, AGE 40 YEARS, ASSISTANT MARKET SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.No.3/SC-ACB/ SKL/2016 SRIKAKULAM RANGE.

Sri Nakka Govinda Rao, Assistant Market Supervisor, Agricultural Market Committee, Integrated Check Post, Purushottapuram is native of Amadalavalasa Village & Mandal, Srikakulam District. His date of birth is 12.08.1978. He joined in Government Service on 05.05.2007 as Junior Market Supervisor in Agricultural Market Committee. He was promoted as Assistant Market Supervisor on 06.08.2009 and he worked as such in Palakonda, Srikakulam District. Later he was transferred to Integrated Check Post, Itchapuram and he worked as Assistant Market Supervisor, Agricultural Market Committee, Integrated Check Post, Itchapuram from 23.11.2014. He is drawing basic pay of Rs.21,820/- and he is attaining superannuation on 31.08.2038. He is here-in-after called as Government Servant.

CHARGE-I:-

He and other officials of the check post are collecting bribe from the crew members of the transport vehicles directly and indirectly through private person's i.e. unauthorized agents.

CHARGE-II:-

He failed to give proper explanation for shortage of Rs.499/- in the Government cash-collected at Agricultural Marketing Committee.

FACTS AND EVIDENCE:-

On receipt of credible information that the officials and employees of Integrated Check Post of Itchapuram were indulging in corrupt practices and habitually collecting illegal gratification directly and through unauthorized private persons and allowing the vehicles pass through check post without verifying the vehicle records and goods being transported there in and there by causing huge loss to the Government exchequer, the officials of the Anti Corruption Bureau, Srikakulam Range conducted a surprise check on the integrated check post, Purushottapuram, Srikakulam from 04.30 AM to 09.30 AM on 12.03.2016.

The surprise check party noticed that some persons were collecting mamools from the crew members and owners of the vehicles on behalf of the employees of the check post at the counters of commercial taxes Department and Agricultural Market Committee of Integrated Check post. The Deputy Superintendent of Police apprehended the four private persons, when they were trying to escape from the aforesaid counters and seized an amount of Rs.24,660/- from their possession and examined them and recorded their statements. During the proceedings, the Deputy Superintendent of Police and his staff thoroughly checked the office premises and noticed number of small wads of currency notes of Rs.25,750/- on the computer table besides the computer in the server room and an

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amount of Rs.1,730/- was found on the table in the agricultural market committee counter. The Deputy Superintendent of Police seized Rs.27,480/- as the staff failed to account for the said amount. While the surprise check proceedings were in progress it was observed that the drivers/crew members, who were coming for stamping on their documents, as a routine, giving bribes ranging from Rs.300/- to 500/- at Commercial Taxes Department counter and Rs.10/- at Agricultural Market Committee counter. An amount of Rs.23,500/- collected at the counters from 05.00 AM to 06.30 AM. The Deputy Superintendent of Police seized the said amount for further enquiry. The Deputy Superintendent of Police secured the presence of drivers and examined them and recorded their statements.

They categorically stated that it has been a regular process for them to come to the Commercial Tax department and Agricultural Market Committee counters for stamping. At the time of stamping, they simply bring their bills, invoices, way bills, delivery challans and loading passes to the counters and when they pay the bribes ranging from Rs.300/- to 500/- to the staff of the check post or their unauthorized agents (private persons), the staff affix the stamp on the way bills of their vehicle without physically verifying the goods being transported and the vehicles and vehicle records pertaining to them.

The check post officials are supposed to check each and every vehicle passing through the check post to find out the violations made by them under M.V. Act and rules, Commercial Tax Act etc., and they are supposed to collect the tax dues and fine amounts accordingly. But the staff of check post including the Government Servant were allowing the vehicles to pass through the check-post without verifying the vehicles and the vehicle records by abusing their official position and collecting bribes thereby causing huge loss to the Government exchequer.

The observations made at the check post reveal violation of the Government orders by the Government Servant in the form of allowing the private persons to the counters for collecting bribe from the vehicles drivers/ cleaners on behalf of the staff of the check post.

During the proceedings, when the Deputy Superintendent of Police verified the cash collected at the check post an amount of Rs.499/- was found shortage in the Agricultural Market committee counter. When the Deputy Superintendent of Police questioned Sri N.Govinda Rao, Assistant Market Supervisor, Agricultural Market Committee about the shortage of Government cash in the counter he kept quiet.

Thus the Government Servant, by his above mentioned acts, has exhibited lack of-integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) (2) of Andhra Pradesh Civil Services (Conduct)Rules, 1964.

The Government Servant has therefore rendered himself liable for regular departmental action for major penalty.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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SECTION OFFICER

ANNEXURE-III

DOCUMNETARY EVIDENCE:-

1	Original mediators report dated on 03.06.2016 from 2100 hrs to on 04.06.2016 to 0130 hrs drafted at ICP, Purushottapuram,Itchapuram
2	Attendance Register
3	Duty Register
4	Duty Roster Sheet
5	Personal Cash Declaration Register
6	Statement of Alapana Nageswara Rao, S/o Polarao, age 25 years, Bellupada village, Ichapuram
7	Statement of Chatla Dudisti, S/o Bhagi redid, age 33 years, Reddika, Purushottapuram village, Ichapuram mandal
8	Statement of Chadi Gopalam, S/o Dilleswara Rao, age 18 years, Pursushottapuram village, Ichapuram mandal
9	Statement of Gali Krishna Rao, S/o late Ramaswamy, age 42 years, Purushottapuram village, Ichapuram mandal
10	Statement of Parapathi Papayya @ Pandu, S/o late Jaggayya, age 30 years, Mulapadra, Near Mandapalli, Ichapuram mandal.
11	Statement of Sri Velala Venkata Murali Krishna, S/o Subba RAo, age 34 years, Kuppanapudi village, Akiveedu mandal, West Godavari District. Driver of lorry AP 37 TA 4799.
12	Statement of Kondadasula Ramabrahmam, S/o Satyanarayana, age 27 years, Kanchatam village, Bantimilli mandal, Krishna District, driver of lorry AP 37 TA 9999
13	Statement of Sri Pilli Babu Rao, S/o Polipilli, age 40 years, Pydivada village, Sabbavaram mandal, Visakhapatnam District, Driver of lorry AP 31 TF 2444
14	Statement of Sri Chukka Venku Naidu, S/o Demudu, age 45 years, Iruvada village, Atchyuthapuram mandal, Visakhapatnam District. Driver of lorry AP 31 TF 3369.
15	Statement of Sri Sriripurapu Suryanarayana, S/o Mutyala Rao, age 50 years, Prasadampadu, Vijaywada. Driver of lorry AP 16 TW 4929.
16	Reply from Administrative officer,ICP, Purushottapuram vide Rc.No.14/2016 HC dated 20.06.2016 along with service particulars of charged officer.
17	If any document required, will be submitted

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED BY ORDER//

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ANNEXURE-IV

ORAL EVIDENCE:-

1	Sri Tanikella Jagannadha Rao, S/o late T.V.K. Sharma, age 56 years, Head master, Z.P. High School, Patrunivalasa village, Srikakulam Rural mandal, R/o D. No. 8-226, Bhaskara Nagar Colony, Bondilipuram, Srikakulam
2	Sri Boddepalli Nagabhushana Rao, S/o Malleswara Rao, age 45 years, School Asst., (Physical Sciences), Z.P. High School, Patrunivalasa village, Srikakulam Rural mandal . R/o Plto No. 431, 8th line, PN Colony, Srikakulam. LW-1 & 2 speak about their presence as official mediators at the time of surprise check conducted on the integrated check post and observation of happenings at the check post and preparation of the proceedings etc facts.
3	Alapana Nageswara Rao, S/o Polarao, age 25 years, Bellupada village, Ichapuram
4	Chatla Dudisti, S/o Bhagi redid, age 33 years, Reddika, Purushottapuram village, Ichapuram mandal
5	Chadi Gopalam, S/o Dilleswara Rao, age 18 years, Pursushottapuram village, Ichapuram mandal
6	Gali Krishna Rao, S/o late Ramaswamy, age 42 years, Purushottapuram village, Ichapuram mandal
7	Parapathi Papayya @ Pandu, S/o late Jaggayya, age 30 years, Mulapadra, Near Mandapalli, Ichapuram mandal. LW-3 to 7 speak that they are private persons engaged by the officials of ICP, Purushottapuram for collecting mamools from the transport crew for stamping on the papers of the vehicles that are being passed through the check post without verifying the records and goods of the vehicles.
8	Sri Velala Venkata Murali Krishna, S/o Subba RAo, age 34 years, Kuppanapudi village, Akiveedu mandal, West Godavari District. Driver of lorry AP 37 TA 4799.
9	Kondadasula Ramabrahmam, S/o Satyanarayana, age 27 years, Kanchatam village, Bantimilli mandal, Krishna District, driver of lorry AP 37 TA 9999
10	Sri Pilli Babu Rao, S/o Polipilli, age 40 years, Pydivada village, Sabbavaram mandal, Visakhapatnam District. . Driver of lorry AP 31 TF 2444
11	Sri Chukka Venku Naidu, S/o Demudu, age 45 years, Iruvada village, Atchyuthapuram mandal, Visakhapatnam District. Driver of lorry AP 31 TF 3369.
12	Sri Sriripurapu Suryanarayana, S/o Mutyala Rao, age 50 years, Prasadampadu, Vijaywada. Driver of lorry AP 16 TW 4929. LW-8 to 12 speak that they are crew members and the check post officials used to demand them to pay bribe/mamools and also speaks about collection of mamools by the private persons ranging from Rs.300/- to Rs.500/- to the staff of the CT dept and Rs.10/- to the staff of AMC of check post whose vehicles are passing through the ICP without causing any undue obstructions in verification of their vehicle records, permits and other documents.
13	Sri T. Rama Rao, PC 2336 of ACB, Srikakulam Range
14	Sri. L.Chinnam Naidu, PC 486 of ACB, Srikakulam Range

15	Sri. T.Ramesh Babu, PC 553 of ACB, Srikakulam Range. LW-13 to 15 are ACB officials and they speak of their assisting the DSP, ACB during the surprise check and observations on the happening at the counters of check post.
16	Sri. K.Ranga Raju, Deputy Superintendent of Police, ACB, Srikakulam Range. He speaks to the fact of his supervision of surprise check conducted on the ICP, Itchapuram and about the collection of mamools by the officials of check post from the transport drivers, apprehension of the private persons, seizure of amount, relevant documents and registers during the proceedings.
17	Sri. P.Srinivas Rao, Inspector of police, ACB, Srikakulam Range. He speaks to the facts of his assisting the DSP, ACB during the surprise check_ and observations on the happening at the counters of check post and obtained required information from concerned department and submitted the detailed report to the HO.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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